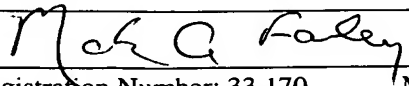


FORM PTO-1390 (REV. 2-2005)		U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE		ATTORNEY'S DOCKET NUMBER <b>P/4637-11</b>	
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>				U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/549,433</b>	
INTERNATIONAL APPLICATION NO. <b>PCT/ EP2004/002637</b>		INTERNATIONAL FILING DATE <b>12 March 2004</b>		PRIORITY DATE CLAIMED <b>18 March 2003</b>	
TITLE OF INVENTION <b>QUATERNARY CHELIDONINE AND ALKALOID DERIVATIVES, PROCESS FOR THEIR PREPARATION AND THEIR USE IN MANUFACTURE OF MEDICAMENTS</b>					
APPLICANT(S) FOR DO/EO/US <b>Wassyl NOWICKY</b>					
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:					
1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input type="checkbox"/> An <b>executed</b> oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). <b>Items 11 to 20 below concern other document(s) or information included:</b> 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98, with the required PTO-1449 Form. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A Preliminary Amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. (Print EFS Form) 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information ( <i>specify</i> ): <i>postcard</i>					
<b>EXPRESS MAIL CERTIFICATE</b> I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee (mail label #EV606197829US) in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on March 8, 2006: Dorothy Jenkins Name of Person Mailing Correspondence					
 Signature				March 8, 2006 Date of Signature	
00754730.1					

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) <b>10/549,433</b>		INTERNATIONAL APPLICATION NO. <b>PCT/EP2004/002637</b>		ATTORNEY'S DOCKET NUMBER <b>P/4637-11</b>	
				CALCULATIONS	PTO USE ONLY
The following fees have been submitted					
21. <input type="checkbox"/> Basic national fee..... <b>\$300</b>				\$	
22. <input type="checkbox"/> Examination fee				\$	
If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)..... <b>\$100</b>					
All other situations..... <b>\$200</b>					
23. <input type="checkbox"/> Search fee				\$	
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... <b>\$100</b>					
International Search Report prepared and provided to the Office..... <b>\$400</b>					
All other situations..... <b>\$500</b>					
<b>TOTAL OF 21, 22 and 23 =</b>				\$	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is <b>\$250</b> for each additional 50 sheets of paper or fraction thereof.				\$	
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250	\$	
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total Claims	38 - 38 =	0	x \$25 SE or \$ 50	\$	
Independent Claims	4 - 4 =	0	x \$100 SE or \$200	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$180 SE or \$360	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$	
[XX] Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.				\$	
<b>SUBTOTAL =</b>				\$	
Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
<b>TOTAL NATIONAL FEE =</b>				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by the appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00 per property +</b>				\$	
<b>TOTAL FEES ENCLOSED =</b>				\$	
				Amount to be refunded:	\$
				Amount to be charged:	\$
a. <input type="checkbox"/> A check (Check No. _____) in the amount \$_____ to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. 15-0700 in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. [XX] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 15-0700. A duplicate copy of this sheet is enclosed. NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO: Mark A. Farley, Esq. Ostrolenk, Faber, Gerb & Soffen, LLP 1180 Avenue of the Americas New York, New York 10036-8402			 Registration Number: 33,170      March 8, 2006 Telephone: (212) 382-0700		

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Wassyl NOWICKY

Date: March 8, 2006

Serial No.: 10/549,433

International Appln. No. PCT/EP2004/002637

International Filing Date: March 12, 2004

For: QUATENARY CHELIDONINE AND ALKALOID DERIVATIVES, PROCESS  
FOR THEIR PREPARATION AND THEIR USE IN MANUFACTURE OF  
MEDICAMENTS

Mail Stop PCT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**THIRD PRELIMINARY AMENDMENT**

Sir:

Preliminary to examination, please amend as follows.

**FEE CALCULATION**

No additional fee is required.

☒ If checked, "Small Entity" status is claimed.

	NO. CLAIMS AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR		EXTRA PRESENT		RATE	ADDIT. FEE
TOTAL	38	MINUS	38	* =	0	X	(\$25 SE or \$50)	\$0
INDEP.	4	MINUS	4	** =	0	X	(\$100 SE or \$200)	\$0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM						X	(\$180 SE or \$360)	\$0

\* not less than 20 \*\* not less than 3

TOTAL \$ 0

If any additional payment is required, a check which includes the calculated fee of \$\_\_\_\_\_ (OFGS Check No. \_\_\_\_\_) is attached.

In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account No. 15-0700.

### **CONTINGENT EXTENSION REQUEST**

If this communication is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 C.F.R. § 1.136(a), to extend the time for filing a response to the outstanding Office Action by the number of months which will avoid abandonment under 37 C.F.R. § 1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700.

### **SUMMARY OF AMENDMENTS**

1. \_\_\_\_ If checked, an abstract (an amended abstract) is submitted herewith.
2. ☒ If checked, amendment(s) to the drawings are submitted herewith.
3. \_\_\_\_ If checked, amendment(s) to the specification are submitted herewith.
4. \_\_\_\_ If checked, amendment(s) to the claims are submitted herewith.